



ZACHARY W. CARTER  
Corporation Counsel



THE CITY OF NEW YORK  
LAW DEPARTMENT  
100 CHURCH STREET  
NEW YORK, NY 10007

Where there is a will,  
there is a way.  
Even now, defendants  
ask until July 21 but want  
that they should not be  
held to that date:  
"Defendants will make  
every effort to  
provide a  
response" 7/7  
JOSHUA J. LAX  
Senior Counsel  
Phone: (212) 356-3538  
Fax: (212) 356-3509  
jlax@law.nyc.gov

July 10, 2017

**BY ECF**

Honorable P. Kevin Castel, U.S.D.J.  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**MEMO ENDORSED**

Re: Estate of Mohamed Bah v. City of New York, et al., 13 CV 6690 (PKC)(KNF)

Your Honor:

I am a Senior Counsel in the office of Zachary W. Carter, Corporation Counsel of the City of New York, representing defendants. I write to respectfully request an extension of time in which defendants must advise the Court as to their position regarding retention of a private mediator. Defendants request to have until July 21, 2017 to make their status report. Plaintiffs consent to an extension until July 14, 2017. The basis of this request is that several members of the defense team have been on trial starting July 10, 2017 which impacted defense counsel's ability to consult with the various principals involved in making the decision at issue. Meetings had begun, but scheduling issues interrupted the exploration of the Court's suggestion to consider a retained mediator. For example, the undersigned was scheduled to start a trial yesterday morning in the Eastern District before the Honorable Eric N. Vitaliano, though the case settled prior to jury selection. There was unforeseen issues that arose immediately before the trial that also impacted my schedule. Ms. Garman and Mr. Myrvold are currently on trial before the Honorable Joan M. Azrack also in the Eastern District. In addition, the July 4th Holiday weekend also created conflicts in meeting with the various principles. Defendants will make every effort to have a response for plaintiff and the Court in advance of July 21 but wish to provide the most considered response.

Defendant thanks the Court for its consideration in this matter.

Respectfully submitted,

/s/

Joshua J. Lax  
Senior Counsel

CC: BY ECF  
All Counsel

Why did I even  
batter to try to  
assist the parties?  
O blighted to  
advise the Court of  
defendants  
in mediation  
is VACATED.

SO  
ORDERED  
USDS  
7-11-17